

**A RESOLUTION**

**BY FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION BY THE FINANCE/EXECUTIVE COMMITTEE as amended AUTHORIZING THE MAYOR TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRMS OF KING & SPALDING AND HOWELL & ASSOCIATES, LLC TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE ISSUANCE OF CERTAIN TAX ANTICIPATION NOTES; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID AGREEMENT (PROVIDED THAT LEGAL FEES AUTHORIZED HEREIN SHALL NOT EXCEED THE SUM OF \$24,000.00); TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 2-991 of the Code of Ordinances for the City of Atlanta provides certain procedures for the selection and recommendation of Bond Counsel for the City of Atlanta to the Atlanta City Council in connection with the issuance of City bonds; and

**WHEREAS**, the City Attorney has solicited written proposals from numerous law firms in the City of Atlanta to serve as Bond Counsel for the city in connection with the issuance of the Tax Anticipation Notes (TAN); and

**WHEREAS**, the law firms of King & Spalding and Howell & Associates, LLC submitted proposals to serve as Bond Counsel for the City in connection with the TAN bond issue, and the City Attorney, in consultation with the Chief Financial Officer, recommends the law firms of King & Spalding and Howell & Associates, LLC to serve as Bond Counsel to the City in connection with the issuance of the TAN.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES as follows:**

**Section 1.** That the Mayor of the City of Atlanta is hereby authorized to execute a retainer agreement with the law firms of King & Spalding and Howell & Associates, LLC to serve as Bond Counsel to the City of Atlanta in connection with the issuance of approximately \$80,000,000.00 in Tax Anticipation Notes (TAN).

**Section 2.** That the Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses, and costs due for legal services rendered by King & Spalding and Howell & Associates, LLC in connection with said TAN bond issue, such amounts to be paid from the proceeds of the TAN bond issue; provided that the legal fees authorized herein shall not exceed the sum of \$24,000 (based upon .30 per \$1000 of issue), plus actual expenses incurred by King & Spalding and Howell & Associates, LLC.



**BE IT FURTHER RESOLVED** that all resolutions and parts of resolutions in conflict herewith are hereby rescinded.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

**ADOPTED** as amended by the Council  
**APPROVED** by the Mayor

APR 01, 2002  
APR 05, 2002

## PART II CODE OF ORDINANCES--GENERAL ORDINANCES

## Chapter 2 ADMINISTRATION\*

## ARTICLE IX. FINANCE\*

## DIVISION 4. BORROWING AND INDEBTEDNESS\*

## Sec. 2-991. Employment of special bond counsel.

**Sec. 2-991. Employment of special bond counsel.**

Whenever the city issues or proposes to issue any general obligation bonds, revenue certificates, bonds, certificates of participation, or other debt or financing obligations and the services of bond counsel is necessary, the city attorney is hereby authorized and empowered to select such bond counsel according to the procedure set forth in this section. The city attorney, in consultation with the chief financial officer, shall invite qualified persons and firms to submit written competitive proposals based upon criteria made known in writing to said persons or firms. The city attorney, in consultation with the chief financial officer, shall review such proposals as are submitted and shall select bond counsel from such proposals. The city attorney is further authorized and empowered to recommend bond counsel to the city council. Upon approval by city council, the mayor shall be authorized to execute any and all contracts necessary or incidental to such employment.

(Code 1977, § 7-4084; Ord. No. 1995-19, § 1, 4-25-95; Ord. No. 1996-15, § 2, 4-4-96)

**Sec. 2-992. Employment of fiscal advisor.**

To the extent that services of financial advisors are appropriate and required, the city shall employ such advisor on an annual or project basis. The mayor and the chief financial officer are hereby authorized and empowered to select such financial advisor according to the procedure set forth in this section. The chief financial officer, in consultation with the chief operating officer, shall identify persons or firms qualified to undertake such work, and shall invite such persons or firms to submit written competitive proposals based upon criteria as established by the mayor and the chief financial officer in consultation with the chief operating officer and made known in writing to such persons or firms. Such criteria shall include, but not be limited to, the scope of work to be performed and the fee proposed to be charged. The mayor and the chief financial officer shall review such written competitive proposals as are submitted and shall propose a financial advisor to the city council. Upon approval by the city council, the mayor shall be authorized and empowered to employ such financial advisor in the name of and in behalf of the city and to execute any and all contracts necessary or incidental to such employment. The financial advisor so employed shall not be involved in any other financial transactions with the city in any capacity other than financial advisor during the term of this engagement as financial advisor and for one year following the end of the contract term. If the financial advisor resigns during the term of the contract, this restriction shall extend for one year thereafter.

(Code 1977, § 7-4085; Ord. No. 1995-19, §§ 2, 3, 4-25-95; 1996-15, § 1, 4-4-96)

**Sec. 2-993. General obligation bonds.**

(a) *Referral of ordinances and resolutions increasing bonded indebtedness.* Any resolution or ordinance introduced in the council which has the purpose of calling for the public advertising of the city's intent to increase the general obligation bonded indebtedness in the annual bond fund of the city shall be referred to all council committees as established in section 2-131, and the committee on finance shall recommend action to the council not earlier than the third meeting after having received for consideration such resolution or ordinance.

(b) *Recommendations of executive branch.* The mayor is directed to present to the council the recommendations of the executive branch on the use of general obligation bonds for general purposes during the next succeeding fiscal year no later than December 31 of each year.

(c) *Board of education recommendations.* The board of education is directed to present to the council the recommendations of the board on the use of general obligation bonds for school purposes during the

RCS# 3635  
4/01/02  
2:42 PM

Atlanta City Council

Regular Session

CONSENT I      Except; 02-R-0531; 02-R-0499; R-0497; R-0561  
                    02-R-0498; 02-R-0588; 02-R-0589; 02-R-0513  
  ADOPT

SEE ATTACHED LISTING OF ITEMS  
ADOPTED/ADVERSED ON  
CONSENT AGENDA

YEAS:    14  
NAYS:    0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT    1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
02-R-0497  
02-R-0498  
02-R-0499  
02-R-0513  
02-R-0531  
02-R-0561  
02-R-0589

**CORRECTED COPY**

CONSENT I

		04/01/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-0562	34. 02-R-0486	63. 02-R-0514
2. 02-O-0564	35. 02-R-0511	64. 02-R-0515
3. 02-O-0566	36. 02-R-0587	65. 02-R-0516
4. 02-O-0568	37. 02-R-0492	66. 02-R-0517
5. 02-O-0582	38. 02-R-0493	67. 02-R-0536
6. 02-O-0389	39. 02-R-0557	68. 02-R-0537
7. 02-O-0392	40. 02-R-0521	69. 02-R-0538
8. 02-O-0390	41. 02-R-0522	70. 02-R-0539
9. 02-O-0458	42. 02-R-0523	71. 02-R-0540
10. 02-O-0394	43. 02-R-0524	72. 02-R-0541
11. 02-O-0397	44. 02-R-0525	73. 02-R-0542
12. 02-O-0399	45. 02-R-0526	74. 02-R-0543
13. 02-O-0400	46. 02-R-0527	75. 02-R-0544
14. 02-O-0401	47. 02-R-0528	76. 02-R-0545
15. 02-O-0402	48. 02-R-0529	77. 02-R-0546
16. 02-O-0403	49. 02-R-0530	78. 02-R-0547
17. 02-O-0404	50. 02-R-0567	79. 02-R-0548
18. 02-O-0405	51. 02-R-0588	80. 02-R-0549
19. 02-O-0408	52. 02-R-0518	81. 02-R-0550
20. 02-R-0464	53. 02-R-0556	82. 02-R-0551
21. 02-R-0494	54. 02-R-0558	83. 02-R-0552
22. 02-R-0495	55. 02-R-0585	84. 02-R-0553
23. 02-R-0496	56. 02-R-0586	85. 02-R-0554
24. 02-R-0500	57. 02-R-0349	86. 02-R-0555
25. 02-R-0560	58. 02-R-0506	
26. 02-R-0569	59. 02-R-0532	
27. 02-R-0570	60. 02-R-0533	
28. 02-R-0571	61. 02-R-0534	
29. 02-R-0572	62. 02-R-0535	
30. 02-R-0573		
31. 02-R-0574		
32. 02-R-0595		
33. 02-R-0596		

02-R-0595

(Do Not Write Above This Line)

A RESOLUTION

BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRMS OF KING & SPALDING AND HOWELL & ASSOCIATES, LLC TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH THE ISSUANCE OF CERTAIN TAX ANTICIPATION NOTES; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

AS AMENDED

Approved:

*Pauline R. Howell* City Attorney

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

COUNCIL

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee FIN  
Date 3/21/02  
Chair John L. Howell  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: AS AMENDED  
Members Clare Muller  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

APR 1 2002

*Clare Muller*

CERTIFIED

APR 01 2002

*Pauline R. Howell*  
MUNICIPAL CLERK

MAYOR'S ACTION

*APPROVED*

APR 05 2002

MAYOR